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June 24, 2022

VIA ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: U.S. v. Juan Carlos Mustafa, 93-203 (LGS)

Dear Judge Schofield:

On March 14, 2022, Mr. Juan Carlos Mustafa, who is 62 and currently housed at FCI Gilmer in West Virginia, filed a motion *pro se*, at Docket No. 218, seeking that this Honorable Court reduce his sentence of life imprisonment because of serious health issues. Mr. Mustafa has been imprisoned for 29 years. On April 29, 2022, the government responded, at Docket No. 222, stating that Mr. Mustafa (i) had not exhausted all administrative remedies prior to seeking compassionate release, and that (ii) even if he had met that requirement and established an extraordinary and compelling reason for release, a sentence reduction was inappropriate based on the sentencing factors set forth in Section 3553(a).

On June 13, this Honorable Court appointed me as counsel for Mr. Mustafa. At Docket No. 232, Your Honor also ordered that both parties – new counsel for Mr. Mustafa and the government, represented in this matter by AUSA Jonathan Bodansky – file a joint letter by today proposing a schedule for briefing the renewed motion for compassionate release.

Undersigned counsel spoke to AUSA Bodansky, who graciously said that the government would not oppose any reasonable time frame requested by the defense, and that it would defer to the Court. I respectfully request that the Court grant new counsel for Mr. Mustafa a period of six months, starting today, to brief this matter. There are several reasons why I am requesting this period of time.

First, I must assess what administrative remedies were exhausted. Second, I need to gather all medical records pertaining to Mr. Mustafa and analyze them with experts, if necessary. Third, I respectfully request to travel, with the Court's authorization, to meet Mr. Mustafa, in person, at FCI Gilmer in West Virginia to talk to him about his health ailments and how they affect his daily life – in essence, to be in a better position to argue that his dire health indeed represents an extraordinary and compelling reason for a sentence reduction. Fourth, and separately, another

reason why I am requesting six months to brief the Court on this sentence reduction is because I am scheduled to try the following cases in the upcoming months: in August, *United States v. Anibal Feliciano-Irizarry*, Cr. 17-611, before the Hon. Aida Delgado-Colon, in the District of Puerto Rico; in September, *United States v. Antonio Reyes*, Cr. 21-747, before the Hon. Jesse M. Furman, in the Southern District of New York; in October, *United States v. Rolando Rivera-Solis*, Cr. 16-547, before the Hon. Francisco A. Besosa, in the District of Puerto Rico.

Therefore, in compliance with the Honorable Court's order at Docket No. 232, and with acquiescence from the government, I respectfully submit this joint scheduling letter proposing that the parties brief the Court on this compassionate release request in a period of six months. Additionally, I request that the Court authorize me to travel to FCI Gilmer in West Virginia, or wherever else Mr. Mustafa could be housed, to meet with him in person and gauge the effects of his health ailments on his daily life.

Respectfully submitted,

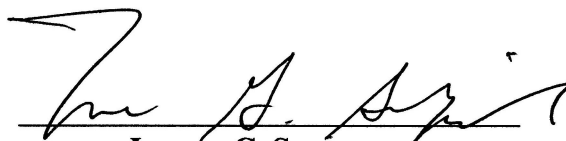
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Cc. AUSA Jonathan Bodansky

Application GRANTED in part and DENIED in part. Defendant shall file his renewed motion for compassionate release by **September 16, 2022**. The government shall file its response by **October 14, 2022**. Defendant shall file a reply by **October 28, 2022**. Mr. Aldridge is authorized to travel to FCI Gilmer, or another facility to which Mr. Mustafa may be transferred, to meet with him in person and gauge the effects of his health ailments on his daily life.

In addition to Mr. Mustafa's health ailments, Defendant's motion shall address whether his motion for compassionate release or sentence reduction should be granted for reasons similar to those that were present in *United States v. Tellier*, No. 92 Crim. 869, 2022 WL 1468381 (S.D.N.Y. May 10, 2022).

Dated: June 27, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE